

MINUTES
Regular Meeting of the College Park City Council
Tuesday, May 27, 2014
7:30 p.m. – 8:53 p.m.

PRESENT: Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Day, Hew and Mitchell.

ABSENT: Councilmember Stullich.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Bob Stumpff, Director of Public Works; Terry Schum, Director of Planning; Steve Groh, Director of Finance; Steve Halpern, City Engineer; Peggy Higgins, Director of Youth, Family and Senior Services; Catherine McGrath, Student Liaison.

Mayor Fellows opened the Regular Meeting at 7:30 p.m. Councilmember Wojahn led the Pledge of Allegiance.

Minutes: None.

Announcements:

Councilmember Mitchell recognized the Veterans Memorial Improvement Committee for their good work on yesterday's Memorial Day Event.

Councilmember Day congratulated recent University of Maryland graduate, Simone Thomas, on her accomplishments.

Councilmember Wojahn said the College Park Community Foundation is holding a community meeting on Saturday, June 7 at 10:00 a.m. for non-profits in the City to discuss how the CPCF can serve them.

Swearing in of Robert Catlin to the College Park Housing Authority: Mayor Fellows administered the Oath of Office to Robert Catlin who was recently appointed to the CPHA and thanked him for once again serving the City of College Park.

Amendments to the Agenda: 14-G-62, free parking on Saturdays in the downtown parking garage, was added to the consent agenda (see City Manager's report).

City Manager's Report: Mr. Nagro reminded Council about the volunteer reception on Friday night, reminded everyone about the summer Council meeting schedule, and commented on the items in the red folders. Mr. Nagro asked Council if they wanted to authorize free Saturday parking in the downtown parking garage during the summer, the exact dates from Saturday May 31 through Saturday, August 23. Council agreed to add this item to tonight's consent agenda.

Student Liaison's Report: Ms. McGrath gave her final report as student liaison – students have left for the summer and the new SGA officers have been sworn in. She is serving as the SGA's VP of Student Affairs next year. Mayor Fellows presented Ms. McGrath with a plaque and a check and thanked her for her service.

Comments from the Audience on Non-Agenda Items:

James Astrue, 4800 College Avenue: He presented a petition to the Mayor and Council requesting removal of the "No Turn On Red" signs at the intersection of College and US 1. Staff accepted the petition and will forward it to the State Highway Administration who have control of that intersection.

Presentations: Mayor Fellows presented certificates to the outstanding essayists in the Maryland Municipal League's "If I Were Mayor, I Would..." essay contest:

| | |
|---------------------------------|-----------------------|
| Al Huda School: | Mohammed Abdul Mujeeb |
| Berwyn Christian School: | Reza Abediyeh |
| Friends Community School: | Mia Ivatury |
| Hollywood Elementary School | Sheila McGee |
| Holy Redeemer School: | Allison Keen |
| Paint Branch Elementary School: | Juan Perez |

The students read their winning essays and pictures were taken.

CONSENT AGENDA:

A motion was made by Councilmember Day and seconded by Councilmember Mitchell to adopt the Consent Agenda, which consisted of the following:

- 14-G-54** Approval of an exclusive contract with Legal Resources, Inc.
- 14-R-11** Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2014-01, 8805 Patricia Court, College Park, Maryland, Recommending Approval Of A Variance From Section 27-120.01 (C) Of The Prince George's County Zoning Ordinance, "Front Yards Of Dwellings," To Expand A Driveway In The Front Yard By Adding An Additional 4 Feet In Width And 17 Feet In Length
- 14-G-55** Approval of an I-Net- ICBN Agreement for use of Fiber Optic Cable
- 14-G-56** Authorization for the City to create an inter-departmental task force to draft the framework for a City sustainability plan and to identify resources that will assist in this effort.
- 14-G-62** Authorization for free Saturday parking in the downtown parking garage from May 31 through August 23.

The motion passed 7 – 0 – 0.

ACTION ITEMS

14-O-02 Adoption of 14-O-02, an Ordinance of the Mayor and Council of the City of College Park, Maryland to Adopt the Fiscal Year 2015 Operating and Capital Budget of the City of College Park, Maryland

A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to adopt Ordinance 14-O-02, An Ordinance of the Mayor and Council of the City of College Park, Maryland to Adopt the Fiscal Year 2015 Operating and Capital Budget of the City of College Park, Maryland.

Councilmember Mitchell commented that the budget Ordinance was introduced on April 22nd and a public hearing was held on May 13th. The Ordinance reflects the combination of the FY 2015 City Manager's requested budget and budget changes made by Mayor and Council during budget Worksessions. Total General Fund revenues of \$15,094,904 include operating revenues of \$14,707,087, an interfund transfer from the Parking Debt Service Fund of \$314,815, and use of unassigned reserve of \$73,002. Total General Fund expenditures are \$15,094,904. In the Parking Debt Service Fund, total revenues are \$250,000 and total expenditures are \$314,815. There will be no change in property tax rates, fines or fees. The tax rates for real and personal property tax will be set at 33.5 and 83.8 cents per \$100 of assessed valuation, respectively. The total 5-year Capital Improvement Program is \$35,118,764. By adoption of this Ordinance, the FY 2015 Pavement Management Plan and Pay Plan are hereby adopted. Also, by adoption of this Ordinance, the City includes its employees in the Employees' Pension System of the State of Maryland as of July 1, 2014 and authorizes payment of retirement benefits into the said pension system, and further authorizes payment for eligibility service and creditable service in the said pension system equal to 60% of an eligible employee's period of employment with the City prior to July 1, 2014, on the terms and conditions set forth in State law. The budget ordinance will be effective July 1, 2014.

Due to the earlier public hearing, there were no comments from the audience.

Councilmember Kabir said the good news is there is no increase in taxes, fines or fees in the FY '15 budget. However, the City's reserve fund is decreasing. In FY '12 it was 40%, in FY '13 it was 30%, and for FY '15 it is 22%. The recommended level is 25%. We need to be careful and keep this in mind as we make decisions in coming months.

The motion passed 7 – 0 – 0.

14-O-03 Adoption of 14-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 87, “Building Construction” To Add §87-25, “Installation And Maintenance Of Underground Utilities In City Rights Of Way” And Amending Chapter 110, “Fees And Penalties ”, §110-1 "Fees And Interests" To Include The Fees Imposed Under §87-25

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to adopt 14-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 87, “Building Construction” To Add §87-25, “Installation And Maintenance Of Underground Utilities In City Rights Of Way” And Amending Chapter 110, “Fees And Penalties ”, §110-1 "Fees And Interests" To Include The Fees Imposed Under §87-25

Councilmember Wojahn said this is a sensible approach to dealing with the issue of companies using the City’s rights-of-way and for a reasonable cost.

The motion passed 7 – 0 – 0.

14-G-57 Approval of a letter to the Prince George’s County Planning Board with the City’s comments and recommendations on the Preliminary College Park-Riverdale Park Transit District Development Plan.

A motion was made by Councilmember Day and seconded by Councilmember Mitchell to approve a letter with the City’s comments and recommendations on the Preliminary College Park-Riverdale Park Transit District Development Plan.

Councilmember Day commented that the process for updating the 1997 College Park-Riverdale Park TDDP began last May and involved several community workshops and a series of stakeholder group meetings. The Planning Board hearing will be followed by a District Council public hearing in September with final approval of the plan in October 2014. The vision for the metro area is for a transformation from an auto and suburban-oriented office and industrial area into a vibrant, walkable, mixed-use center. It includes a new residential neighborhood and a revitalized M Square Research Park that capitalizes on public transit, existing recreational amenities, historic features and affiliation with the University. The City supports this vision, in general, but has several recommendations for improving the plan that are contained in the letter. He concluded that he wished we were on the same page with our partners.

Comments from the audience:

Carlo Colella, UMD Vice President for Finance and Administration: This has been a hasty process and they did not have time to work more closely with the City on the draft letter. There are many good aspects of the plan, but some items of concern. He outlined the University’s concerns about the City’s position in several areas and said a formal letter with the University’s comments will follow. The University is opposed to a blanket requirement in the TDDP that would prohibit an extension of a DSP. They would like to see alternatives studied for floodplain

mitigation storage. They are opposed to lowering parking ratios prematurely before the Purple Line is operational. It is wonderful to have more parkland but they are trying to encourage development.

The differences between the City's comments and Mr. Colella's comments were noted and there was discussion about whether the City would change their recommendations based on hearing Mr. Colella's comments tonight. Ms. Schum said the City is familiar with the University's comments and that this letter is based on the staff recommendations that were discussed at last week's Worksession. Councilmember Brennan supports staff recommendations and understands that the University will also have an opportunity to comment and that it is ultimately for the Planning Board to decide these matters. He said it is not a bad thing if some of our comments conflict and that all the comments in the letter are constructive. The desire for collaboration in the future was discussed.

The motion passed 7 – 0 – 0.

14-G-58 Approval of an Award of Contract to Charles P. Johnson and Associates, Inc. in an amount not to exceed \$45,000 for engineering services – Duvall Field Concession/Restroom Building.

A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to authorize the award of a contract to Charles P. Johnson and Associates in the not to exceed amount of \$45,000.00, to provide civil engineering services for a prefabricated concession/restroom building and plaza area at Duvall Field, and to approve a contract with Charles P. Johnson and Associates in substantially the form provided. The City Manager is authorized to sign the contract.

Councilmember Wojahn said this project has been in the works since before he joined the Council and we can finally move forward with a small piece of the Duvall Field renovations. The Boys and Girls Club was awarded a \$75,000 matching grant from the State of Maryland for the renovation of the entire Duvall Field complex, including the concession building. These state funds will expire on June 1, 2014 unless the grant funds have been encumbered. City staff has located a company, Romtec, Inc., which pre-engineers and builds restroom/concession buildings. Certain engineering work is required to prepare plans to obtain a building permit to install the building manufactured by Romtec, Inc. Charles P. Johnson is already under contract with the City, however, not for these engineering services. The contract must be approved by a six members of the Council as a sole source award. Approval of this contract is necessary to encumber the funds prior to the deadline.

There were no comments from the audience or from the Council.

The motion passed 7 – 0 – 0.

14-G-59 Approval of an Award of Contract to Romtec, Inc. in an amount not to exceed \$115,000 for supply, design and shipping of the Duvall Field Concession/Restroom Building.

A motion was made by Councilmember Wojahn and seconded by Councilmember Day to authorize the award of a contract to Romtec, Inc., in the not to exceed amount of \$115,000.00, for the supply, design and shipping of the Duvall Field Concession/Restroom Building, with related plans and documents, and to approve a contract with Romtec, Inc., in substantially the form provided. The City Manager is authorized to sign the contract.

Councilmember Wojahn noted that the Boys and Girls Club was awarded a \$75,000 matching grant from the State of Maryland that we need to encumber by June 1, 2014 or the funds will expire. City staff has located a company, Romtec, Inc., a pre-approved General Services Administration contractor, and so the City can ride this contract without being required to go out to bid under the City Code. The scope of work for the contract is to design, supply and deliver the restroom/concession building, including required concrete footings, foundation and slab, and related plans and documents. The building will be installed by a separate contractor. As a result, this contract is conditioned upon sufficient funding, and work will not begin until a notice to proceed is issued by the City. Approval of this contract is necessary to encumber the funds prior to the deadline.

There were no comments from the audience.

Ms. Ferguson said the scope of work was clarified over the weekend. Romtec will not provide the footings or the concrete slab, but will provide the design for those elements. There are still small items unresolved in section 4.7 about who would pay for the return of the building; the Attorney requested leeway from the Council to continue negotiations on the issue in 4.7. The Council concurred and the motion was further clarified to give Legal Counsel leeway to continue negotiations on item 4.7.

Councilmember Wojahn asked about the use of wood. Ms. Ferguson said that was discussed with Romtec but is not in this agreement because that would be a change-order to the contract that would increase the cost. Staff will return with an information report to Council, then if Council desires to pursue that option in the future, they can do so by motion.

The motion passed 7 – 0 – 0.

14-G-60 Adoption of FY 2015 Action Plan (of the 2010 – 2015 Strategic Plan)
A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to adopt the FY 2015 Action Plan in accordance with the goals of the 2010-2015 Strategic Plan.

Councilmember Mitchell said that the annual action plan encourages us to identify what we can accomplish in a year to reach our long term goals. The Council has reviewed the updates to the FY 2014 Action Plan, and has reviewed a prior draft of the proposed FY 2015 Action Plan. The

plan before Council has been modified to reflect Council input. This is the final action plan of the 2010 – 2015 Strategic Plan. Council intends to initiate a new strategic planning process this Fall.

There were no comments from the audience or from the Council.

The motion passed 7 – 0 – 0.

14-O-04 Introduction of 14-O-04, an Ordinance of the Mayor and Council of the City of College Park Adding Chapter 71 “Human Rights” to Prohibit Discrimination Based On Age, Race, Color, Creed, Pregnancy, Religion, National Origin, Ancestry, Disability, Marital Status, Sex, Sexual Orientation, Gender Identity Or Physical Characteristic and to Extend this Protection to Employment, Housing and Real Estate Transactions and Public Accommodations.

A motion was made by Councilmember Wojahn and seconded by Councilmember Day to introduce Ordinance 14-O-04, an Ordinance of the Mayor and Council of the City of College Park Adding Chapter 71 “Human Rights” to Prohibit Discrimination Based On Age, Race, Color, Creed, Pregnancy, Religion, National Origin, Ancestry, Disability, Marital Status, Sex, Sexual Orientation, Gender Identity Or Physical Characteristic and to Extend this Protection to Employment, Housing and Real Estate Transactions and Public Accommodations.

Mayor Fellows announced that the Public Hearing is scheduled for Tuesday, July 15 at 7:00 p.m.

14-O-05 Introduction Of 14-O-05, an Ordinance of the Mayor and Council of the City of College Park, Amending Chapter 69, “Purchasing Procedures” By Adding Section 69-6, “Equal Benefits” And Section 69-7 “Non-Discrimination By City Contractors” To Require That Contractors Seeking City Contracts Provide Equal Benefits To Employees and Their Dependents and that City Contractors Not Discriminate In Employment.

A motion was made by Councilmember Wojahn and seconded by Councilmember Dennis to introduce Ordinance 14-O-05, an Ordinance of the Mayor and Council of the City of College Park, Amending Chapter 69, “Purchasing Procedures” By Adding Section 69-6, “Equal Benefits” And Section 69-7 “Non-Discrimination By City Contractors” To Require That Contractors Seeking City Contracts Provide Equal Benefits To Employees and Their Dependents and that City Contractors Not Discriminate In Employment.

Mayor Fellows announced that the Public hearing is scheduled for Tuesday, July 15 at 7:15 p.m.

14-G-61 Appointment to Boards and Committees

A motion was made by Councilmember Day and seconded by Councilmember Mitchell to reappoint John Moore to the College Park Housing Authority, Peggy Wilson to the Education Advisory Committee, Aaron Springer to the Neighborhood Watch Steering Committee, Barbara Pianowski to the Recreation Board, and Bobbie Solomon to the Noise Control Board. The motion passed 7 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Mitchell congratulated the UMD Women's Lacrosse Team on their win.

Councilmember Hew announced the Tree ReLeaf grant program launch event. The CBE is having another meeting on bulk purchase of solar panels.

Councilmember Wojahn requested a future Worksession discussion on the future of the City's CERT program. He also wants to take another look at the City's Emergency Response Plan, and to invite representatives from the County's and University's emergency response departments for that discussion so we can be fully prepared.

Councilmember Kabir asked the status of getting read-only access to Comcate reports. He also announced a community meeting for residents of Hollywood Road on the west side of 51st place to explore the possibility of having sidewalks on Monday June 2 at the College Park Church of the Nazarene.

Mayor Fellows announced he would be away for next week's meeting. Mayor Pro Tem Denise Mitchell will be attending the ITGA conference next week, so Mayor Fellows will appoint another Councilmember to preside.

ADJOURN: The meeting was adjourned at 8:53 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved